



PATENT
Attorney Docket No. BSI-036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Marshik et al. CONFIRMATION NO. 8628
SERIAL NO.: 10/795,966 GROUP NO.: 3634
FILING DATE: March 8, 2004 EXAMINER: Not Yet Assigned
TITLE: Balance Shoe for Tilt-In Window Sashes

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), only copies of the non-patent publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

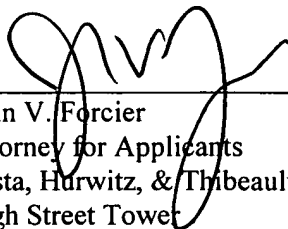
As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Date: June 23, 2004
Reg. No. 42,545

Tel. No.: (617) 248-7675
Fax No.: (617) 248-7100
3082261



John V. Forcier
Attorney for Applicants
Testa, Hurwitz, & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110



SHEET 1 OF 2

FORM PTO - 1449				ATTORNEY DOCKET NO.: BSI-036			
INFORMATION DISCLOSURE STATEMENT				APPLICANT(S): Marshik et al.			
				SERIAL NO.: 10/795,966			
				FILING DATE: March 8, 2004		GROUP: 3634	
U.S. PATENT DOCUMENTS							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	3,676,956	07/18/72	Taylor et al.			
	A2	3,797,168	03/19/74	Trout			
	A3	4,079,549	03/21/78	Wood			
	A4	4,227,345	10/14/80	Durham, Jr.			
	A5	4,364,199	12/21/82	Johnson et al.			
	A6	4,610,108	09/09/86	Marshik			
	A7	4,683,676	08/04/87	Sterner, Jr.			
	A8	4,914,861	04/10/90	May			
	A9	4,922,657	05/08/90	Foss			
	A10	4,941,285	07/17/90	Westfall			
	A11	5,069,001	12/03/91	Makarowski			
	A12	5,243,783	09/14/93	Schmidt et al.			
	A13	5,301,467	04/12/94	Schmidt et al.			
	A14	5,463,793	11/07/95	Westfall			
	A15	5,542,212	08/06/96	Erickson et al.			
	A16	5,544,450	08/13/96	Schmidt et al.			
	A17	5,566,507	10/22/96	Schmidt et al.			
	A18	5,704,165	01/06/98	Slocomb et al.			
	A19	5,873,199	02/23/99	Meunier et al.			
	A20	6,119,398	09/19/00	Yates, Jr.			
EXAMINER				DATE CONSIDERED			

FORM PTO - 1449				ATTORNEY DOCKET NO.: BSI-036					
INFORMATION DISCLOSURE STATEMENT				APPLICANT(S): Marshik et al.					
				SERIAL NO.: 10/795,966					
				FILING DATE: March 8, 2004			GROUP: 3634		
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C1	"BSI Tilt Balance System" June 1999. (4 pgs.)							
	C2	FIGS. 1-5 showing the Balance Shoe used in the "Sabre" and "Arrow" Balance System of Reference C1.							
EXAMINER					DATE CONSIDERED				

3084325